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18 *Special Counsel for Plaintiffs Cedric de Lisser,
19 Christopher Moser, and Michael Michelin, in
20 their capacity as the Trustees of the Cred
21 Liquidation Trust*

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

29 CEDRIC DE LISSER, CHRISTOPHER MOSER,) Case No. 4:23-cv-00243-JD
30 and MICHAEL MICHELIN, in their capacity as)
31 the Trustees of the Cred Liquidation Trust,) [Removal from Superior Court of California,
32) County of San Francisco, Case No.
33) CGC-22603638]
34 Plaintiffs,)
35 v.)
36 LOCKTON COMPANIES LLC, d/b/a) PLAINTIFFS' STATEMENT PURSUANT
37 LOCKTON INSURANCE BROKERS LLC,) TO FEDERAL RULE OF BANKRUPTCY
38 a Missouri limited liability company; LOCKTON) PROCEDURE 9027(e)(3)
39 COMPANIES, LLC- PACIFIC SERIES, d/b/a) State Action Filed: December 22, 2022
40 LOCKTON INSURANCE BROKERS LLC, a)
41 Missouri limited liability company; and DOES 1-)
42 10, inclusive.)
43 Defendants.)

1. Plaintiffs Cedric De Lisser, Christopher Moser, and Michael Michelin, in their capacity
2 as the Trustees of the Cred Liquidation Trust, respectfully state that the above-captioned matter was
3 removed on January 18, 2023, by Defendants from the Superior Court of California, County of San
4 Francisco, to this Court. Plaintiffs do not concede that this Court has subject matter jurisdiction over or
5 should otherwise hear this litigation. Plaintiffs intend to file a motion to remand and/or to abstain.

2. Nevertheless, Federal Rule of Bankruptcy Procedure 9027(e) requires that Plaintiffs file
3 this statement within 14 days of the date of removal. Therefore, Plaintiffs hereby conditionally consent
4 to the entry of final orders or judgments in this litigation by a United States Bankruptcy Judge, to the
5 extent that it is later determined that there is federal subject matter jurisdiction over this litigation and
6 this litigation is referred from a federal District Court to a federal Bankruptcy Court.

3. Plaintiffs do not waive or relinquish and expressly reserve all of their respective rights,
4 claims, defenses and remedies, which may depend on this Court's decision on Defendants' *Notice of
Removal*, and Defendants' continued position on a final order being issued by the Bankruptcy Court,
5 including, without limitation: (a) the right to argue that there is no federal subject matter jurisdiction
6 over this litigation; (b) the right to request that the Court abstain pursuant to 28 U.S.C. § 1344 from
7 hearing this litigation or remand this litigation pursuant to 28 U.S.C. § 1452(b); (c) the right to demand a
8 jury trial; and (d) the right to request that the reference of this litigation to a Bankruptcy Court be
9 withdrawn.

10 Dated: January 31, 2023

11 Respectfully submitted,

12 GLUCK DANIEL ATKINSON LLP

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19 -and -

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